

REMARKS

Claims 1-20 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

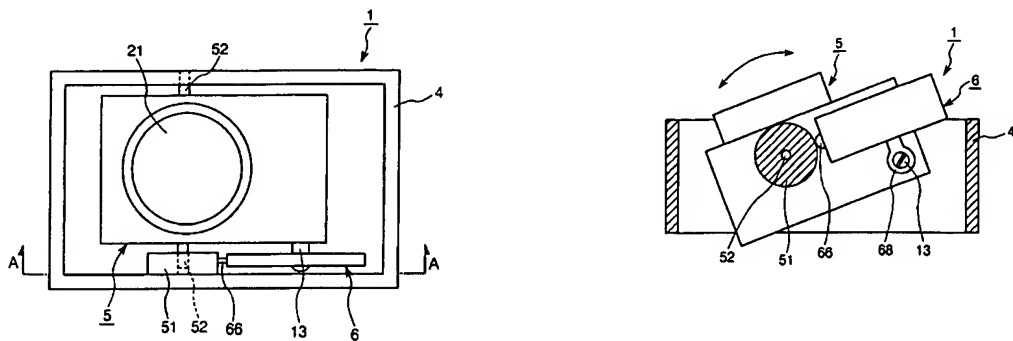
Claims 1-3, 7, 8, 10-13 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zumeris (U.S. Pat. No. 5,696,421) in view of Vishnevsky (U.S. Pat. No. 4,453,103) and combined with Miyazawa (WO 38309). This rejection is respectfully traversed.

Applicant respectfully submits that Zumeris is completely different from the claimed invention and it is not relevant to the claimed invention.

With reference to Figures 2 and 5 from Applicant's specification which are reproduced below, Claim 1 requires, among other features, the following elements:

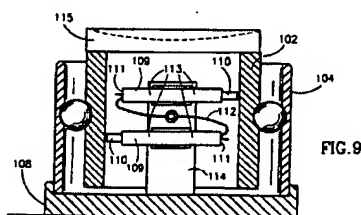
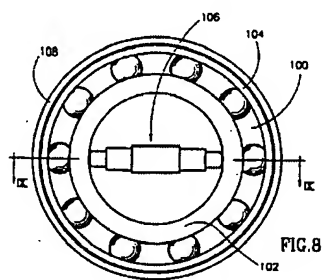
- (a) An operating apparatus (1) comprising:
- (b) a driven element (5);
- (c) a frame (4) which rotatably supports the driven element (5);
- (d) a contacted element (51) which is stationary with respect to the frame (4); and
- (e) a vibrating element (6) **being fixedly mounted on the driven element (5)** in a state where the contact portion (66) abuts on the contacted element (51);
- (f) **wherein the vibrating element (6) receives reaction force from the contacted element (51) when the vibrating element vibrates so that the driven**

element (5) is rotated together with the vibrating element (6) by means of the reaction force.



In contrast and with reference to Figures 8 and 9 of Zumeris which are reproduced below, Zumeris discloses:

- (a) An operating apparatus (rotation unit); comprising:
- (b) a driven element (support 115 (inner race 102));
- (c) a frame which rotatably supports the driven element (outer race 104 and friction change unit 108);
- (d) a contacted element (inner race 102) which is stationary with respect to the frame (support 115);
- (e) a vibrating element (driving elements of motors 110, 109).



Thus, unlike the claimed invention, Zumeris fails to teach or suggest (i) “the vibrating element being fixedly mounted on the driven element”, and (ii) “the vibrating element receives reaction force from the contacted element when the vibrating element vibrates so that the driven element is rotated together with the vibrating element by means of the reaction force”. More particularly, Zumeris teaches driving elements 110 of motors 109 that are mounted on the support 114 which is considered to be a stationary member fixedly mounted on the unit 108 and therefore the driving elements 110 of motors 109 are not fixedly mounted on the driven element (that is, the inner race 102) as required by the claim 1. Further, Zumeris teaches that the driving elements 110 of motors 109 do not receive reaction force from the inner race 102 like the claimed invention because the driving elements 110 of motors 109 are mounted on the stationary support 114 while the inner race 102 is rotatably supported by the outer race 104. Further, it also appears that the support 115 and the inner race 102 are not rotated together with the driving elements 110 of motors 109 by means of the reaction force like the present invention.

Further, with regard to Vishnevsky, Applicant submits that Figs. 1 and 17 fail to teach or suggest the above-mentioned features (i) and (ii) of the present invention.

ALLOWABLE SUBJECT MATTER

Applicant acknowledges the allowance of claims 14-18 and 20.

Although the office action does not detail the disposition of claims 4-6 and 9, based on the office action summary and the prior office action, Applicant assumes these

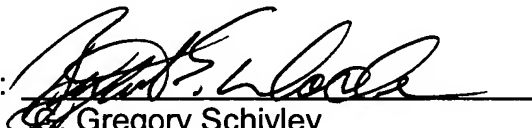
claims remain objected to as being dependent on a rejected base claim but would be allowed if re-written in independent form.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Sept. 27, 2006

By: 
Gregory Schivley
Reg. No. 27,382
Bryant E. Wade
Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

[GGS/BEW/pvd]